

Message Text

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ORIGIN SCS-03

INFO OCT-01 ARA-06 ISO-00 L-02 H-01 CIAE-00 /013 R

DRAFTED BY SCA:SCS:WPCHASE:JFM

APPROVED BY SCA:FSMITH

L/SCA:ELKERLEY (DRAFT)

ARA/LA/BC:AISAACS (DRAFT)

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R 271959Z DEC 74

FM SECSTATE WASHDC

TO AMEMBASSY SANTIAGO

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E.O. 11652: N/A

TAGS: CI, CASC

SUBJECT: DETENTION OF AMERICAN CITIZENS

REF: SANTIAGO 7521 AND STATE 269174

1. THE FOREIGN SERVICE HAS NO REPEAT NO STATUTORY AUTHORITY AND NO PHYSICAL OR PERSONNEL RESOURCES TO ACCEPT FORMAL OR LEGAL CUSTODY OF ANY AMERICAN CITIZEN. FS PERSONNEL HAVE NO REPEAT NO AUTHORITY TO DEPRIVE ANY CITIZEN OF HIS FREEDOM OR TO CONTROL HIS MOVEMENTS OR ACTIVITIES. THUS, NO POST CAN BE AUTHORIZED TO "ACCEPT CUSTODY" OF A PERSON WHO HAS BEEN DETAINED BY A FOREIGN GOVERNMENT. HOWEVER, EACH POST IS UNDER STANDARD INSTRUCTIONS TO PROVIDE ALL APPROPRIATE PROTECTION TO AMERICANS ABROAD.

2. IN EMERGENCY SITUATIONS SUCH AS DESCRIBED REFTL, EMBASSY MAY OFFER TO COOPERATE WITH GOC IN FACILITATING A SUBJECT'S PROMPT DEPARTURE FROM THE COUNTRY. EMBASSY MAY OF COURSE AGREE TO HELP ARRANGE FOR SUBJECT'S TEMPORARY LODGING AND TRANSPORTATION OUT OF THE COUNTRY BUT SHOULD ATTEMPT TO INSURE THAT LOCAL AUTHORITIES FULLY AWARE THAT EMBASSY AND ITS STAFF ARE ACCEPTING NO REPEAT NO LEGAL RESPONSIBILITIES AND ARE NOT GUARANTEEING SUBJECT'S GOOD BEHAVIOR OR DEPARTURE FROM COUNTRY.

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3. IF ABOVE GUIDANCE NOT SUFFICIENT TO MEET NEEDS OF SOME

PARTICULAR SITUATION, PROVIDE DETAILS AND REQUEST DEPART-
MENTAL GUIDANCE BY NIACT IMMEDIATE CABLE. BROWN

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 27 DEC 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE282418
Document Source: CORE
Document Unique ID: 00
Drafter: SCS:WPCHASE:JFM
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740376-0227
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t1974127/aaaaaaff.tel
Line Count: 65
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN SCS
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 74 SANTIAGO 7521, 74 AND STATE 269174
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 11 SEP 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 SEP 2002 by boyleja>; APPROVED <26 FEB 2003 by MorefiRH>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: DETENTION OF AMERICAN CITIZENS
TAGS: CASC, CI, US
To: SANTIAGO
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005